

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MAURICE A. JACKSON,

Plaintiff,

vs.

DONALD GAETZ, *et al.*,

Defendants.

Case No. 10-cv-221-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Maurice A. Jackson's motions (Docs. 47, 48 & 49) for free copies of his motion to appoint counsel (Doc. 13) and the Court's order (Doc. 19) granting the motion.

Litigants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for the preparation of some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

Here, Jackson has explained that counsel currently representing him on appeal will not assist Jackson with matters beyond the appeal. Jackson has submitted a trust fund account statement showing he has \$75.34 in his account. He has also explained that he needs the requested documents for a criminal case before the United States Supreme Court from the Illinois court system in which “issues of his mental retardation” are in question and in which his original petition is missing and must be reconstructed. The Court notes that Jackson’s motion contains a psychological evaluation that may be relevant to his claim. That same document was contained in documents recently sent to Jackson from case number 09-cv-688-JPG.

Because the Court has already sent a copy of any relevant documents contained in this file, the Court **DENIES** Jackson’s motions (Docs. 47, 48 & 49) for free copies in the instant case. Should Jackson still want copies of those documents (Docs. 13 & 19), which total twelve pages, he may tender \$6.00 to the Clerk of Court to pay for them.

IT IS SO ORDERED.

DATED: September 3, 2013

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE